

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CLERK'S MINUTES

BEFORE DISTRICT JUDGE JAMES O. BROWNING

CR CASE No.:	15-4268 JB	DATE:	October 4, 2016
CASE CAPTION:	<i>USA v. DeLeon, et al.</i>		
CRD:	K. Wild	COURT REPORTER:	J. Bean
COURT IN SESSION:	10:56 a.m. 1:57 p.m. 3:55 p.m.	COURT IN RECESS:	12:19 p.m. = 1:23 3:29 p.m. = 1:32 4:53 p.m. = :58 TOTAL = 3:53

TYPE OF PROCEEDING: Motion Hearing (see below)

COURT'S RULING/DISPOSITION:

1. Motion for Specific Discovery [539] -
2. Motion to Compel Discovery [668] - **GRANTED IN PART AND DENIED IN PART**
3. Motion for Specific Discovery [678] -

ORDER CONSISTENT WITH COURT'S RULING TO BE PREPARED BY:

**ATTORNEYS PRESENT
FOR PLAINTIFF(S):**

Maria Armijo/
Matthew Beck,
AUSA's

ATTORNEYS PRESENT FOR DEFENDANT(S):

* = **Second Counsel**

Brock Benjamin (for Deft. Joe Lawrence Gallegos)

Cori Harbour-Valdez/*Pat Burke (for Deft. Edward Troup)

Dean Clark (for Deft. Leonard Lujan)

Robert Cooper/*James Castle (for Deft. Billy Garcia)

Doug Couleur (for Deft. Eugene Martinez)

Jeff Lahan (for Deft. Allen Patterson)

Orlando Mondragon (for Deft. Christopher Chavez)

Noel Orquiz/*Nathan Chambers (for Deft. Javier Alonso)

Billy Blackburn (for Deft. Arturo Arnulfo Garcia)

Jerry Herrera (for Deft. Benjamin Clark)

Pedro Pineda (for Deft. Ruben Hernandez)

Jack Mhktarian (stand-in counsel)/Gary Mitchell (appearing telephonically)
(for Deft. Jerry Armenta)

Margaret Strickland/*Larry Hammond (for Deft. Jerry Montoya)

Santiago Hernandez (for Deft. Mario Rodriguez)

Steve Almanza (for Deft. Timothy Martinez)

Mary Stillinger (for Deft. Mauricio Varela)

*Amy Jacks (for Deft. Daniel Sanchez)

B.J. Crow (for Deft. Conrad Villegas)

Marc Lowry (for Deft. Anthony Ray Baca)

Amy Sirignano/*Christopher Adams/Heidi Diefold (lawclerk) (appearing telephonically) (for Deft. Christopher Garcia)

Michael Davis (for Deft. Carlos Herrera)

Ryan Villa (for Deft. Rudy Perez)

Donovan Roberts (for Deft. Andrew Gallegos)

Erlinda Johnson (for Deft. Santo Gonzalez)

Keith Romero (for Deft. Paul Rivera)

Angela Arellanes (for Deft. Shauna Gutierrez)

PROCEEDINGS

COURT IN SESSION: 10:56 a.m.

COURT: Calls case. Counsel enter appearances. Case agents Bryan Acee, Mark Myers, Thomas Neale and Joe Sainato present. Fugitive Angel DeLeon remains at large.

Court: Because of the volume of people needed to convene this hearing, overflow seating is available in Vermejo courtroom. Have ensured there is room for the press in this courtroom (Rio Grande). Confirms w/CRD covering in Vermejo that the videoconferencing feature is working.

Mr. Villa: Concerned about presence of STIU being present during hearing.

Court: This is a public hearing, do not see issue.

Mr. Villa: Argues further.

Mr. Brock: Joins request.

Court: Do not see issue with it – will leave as is at present

MOTION TO COMPEL DISCOVERY [668]

11:09 A.M. Ms. Strickland: Argues in support of motion.

CRD confirms.

Court: Will be helpful to court reporter for folks to identify themselves when speaking.
Have read all briefing. Would like to first take up Doc. 541.

11:50 a.m. Court: Notes Jack Mikhtarian

MOTION FOR SPECIFIC DISCOVERY [539]

Mr. Castle: Argues in support of motion.

Court in recess: 12:19 p.m.

Court in session: 1:57 p.m.

Court: Asks if any other Defendant wishes to speak on this issue?

Mr. Burke:

Mr. Beck: Argues in response in opposition to motion.

2:08 p.m. Mr. Castle: Argues in reply in further support of motion.

3:08 p.m. Ms. Armijo: Addresses Court re: same.

3:11p.m. Ms. Harbour-Valdez: Addresses Court

Court in recess: 3:29 p.m.

Defense counsel Jim Castle, Larry Hammond and Nathan Chambers depart hearing.

Court in session: 3:55 p.m.

MOTION FOR SPECIFIC DISCOVERY [678]

Doc. 698

Mr. Burke: departs hearing.

Mr. Beck: Not prepared to Court hearing Doc. 698 – strongly oppose –

Mr. Villa: Understand – defers to Court whether to hear today or not.

Court: Do think Government to take a hard look at this one.

4:32 p.m. Mr. Beck: Not prepared to argue -

Mr. Villa: Up to Court.

Court: Will leave it with has said.

Doc. 700

Court: Understand some of the issues have been resolved

Mr. Benjamin: Not sure resolved, Govt. informs not in possession of documents, so can wait for briefing to be done – would like Court to order Govt. to tell MJ articulable facts when presenting affidavit. Want enforcement of order at Doc. 199

Court in recess: 4:53 p.m.